

GREENWOOD COMMON COUNCIL  
APRIL 3, 2006 MINUTES  
PAGE 1

Mayor Charles Henderson called the meeting to order at 7:00 p.m.

PRESENT: Council members Ron Bates, Bill Bless, Ron Deer, John Gibson, Keith Hardin, Jessie Reed; Mayor Henderson; Clerk-Treasurer Jeannine Myers; and City Attorney Shawna Koons-Davis. Councilman Bruce Armstrong was not in attendance.

The audience recited the Pledge of Allegiance in unison, after which the Rev. Dane Sinn of the Smith Valley Baptist Church offered the invocation.

The Mayor announced he would be on vacation until Thursday. Tomorrow is his 43<sup>rd</sup> wedding anniversary and the Mayor's mother turns 91 on Wednesday.

Mr. Bates moved to approve the minutes of March 20<sup>th</sup>, with second by Mr. Hardin. Vote: Ayes.

The City Attorney had distributed her litigation report. There were no questions from the Council.

Mr. Hardin noted that last Monday was a joint training session for the Plan Commission and Board of Zoning Appeals.

ORDINANCE No. 06-09 – An Ordinance to Establish a Special Non-Reverting Fund to Administer Money Received for Dog Park Purposes. Mr. Bates moved to pass Ordinance No. 06-09 through first reading. Second was by Mr. Bless. Ms. Koons-Davis clarified that when the park first opened the Parks Department advertised that the fees that were paid to enter the park would be used to replace equipment and for upkeep, as well as buying land for other dog parks throughout the City. The Department felt they should honor that commitment, she added. Vote: Ayes. **PASSED FIRST READING.**

RESOLUTION No. 06-06 – A Resolution Electing to Enlarge Participation in the Public Employees' Retirement Fund. Mr. Gibson moved to pass Resolution No. 06-06 on first reading. Second by Mr. Bates. Vote: Ayes. **PASSED FIRST READING.**

ORDINANCE No. 05-38 – An Ordinance Annexing Certain Territory Contiguous to the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 92.186 Acres Located Southwest of the Intersection of County Road 700 North and County Road 125 West, and Commonly Known as the Clark Pleasant Community School Corporation Property. **SECOND READING POSTPONED UNTIL MAY 1, 2006 MEETING.**

RESOLUTION No. 06-07 – A Resolution Authorizing a Temporary Loan for the Fire Fund (\$325,000) From the Cumulative Capital Development (CCD) Fund. **INTRODUCED.**

RESOLUTION No. 06-08 – A Resolution of the Greenwood Common Council Authorizing the Establishment of a Re-Entry Court Through the Greenwood City Court and the Filing of a Grant Application For Funding Said Court With the Indiana Criminal Justice Institute, the Indiana Department of Correction and/or the U.S. Department of Justice. Judge Lewis Gregory recounted that the General Assembly in this past session adopted legislation that for the first time authorizes the existence of re-entry courts in Indiana. The re-entry court, in concept, is a drug treatment court, similar to what we have, but focusing on inmates coming out of the Department of Corrections back into the community.

GREENWOOD COMMON COUNCIL  
APRIL 3, 2006 MINUTES  
PAGE 2

The re-entry court provides services similar to those we have now with probationers for those parolees. Judge Gregory noted that nobody would be coming back to the community for the re-entry court who would not otherwise be coming back to the community anyway. This re-entry court concept provides for court-administered, court-supervised drug treatment services for that class of people. Judge Gregory said many questions about the operation of the program still need to be answered. He told the Council he is interested in the concept because (1) he thinks it is good public policy and (2) he considers it a key to the long-term funding issue of treatment courts. Indianapolis and Fort Wayne currently have re-entry courts operating in Indiana. In response to Mr. Hardin, Judge Gregory clarified that this concept would be a specialized docket within the Greenwood City Court, with no additional court, staff or expenditure. He sees it as an additional revenue stream. The judge does not foresee this being a very large operation – a handful of clients over the next year or two. **INTRODUCED.**

Under miscellaneous business, Mr. Hardin noted that he had received a call from Johnson County Senior Services asking if funding would be forthcoming this year. This is not in the budget for this year. It also appears they were not paid in 2005, Mr. Hardin indicated. He would like to have someone from Johnson County Senior Services at the next meeting to discuss their needs. Ms. Reed remembered a letter from them saying they would like to buy a van and asked the Council to appropriate \$10,000 a year for two years, which we did. Ms. Koons-Davis added that they did not come back again for anything further as she recalls. Mr. Hardin will try to have clarification for the request for \$10,000 now and have someone from Johnson County Senior Services at the next meeting.

At this point Mr. Deer requested removing the resolution concerning the purchase of property on South Meridian from the table, as many of those residents want to sell their homes. Mayor Henderson asked that the City Attorney put this on the agenda for the next meeting.

Ms. Koons-Davis brought forward the matter of the tax abatement for Nachi America. Shawn Pittman of Deloitte & Touche gave a brief presentation. Mr. Pittman thought it was more likely that Nachi Technology would have a more difficult time finding persons with the right skills for their manufacturing plant. Nachi America basically does wholesaling. Mr. Pittman indicated that Nachi America still intends to hire a total of 30 but currently have only 28 employees. Ms. Koons-Davis commented that when she spoke with Mr. Campbell of Nachi, he told her that, as the tax abatement was for ten years, they were planning to add 6 to 10 additional people over that ten-year period – not immediately. More of a concern to her is not meeting the timeline for construction of improvements. From the last meeting, the motion by Mr. Armstrong and the second by Mr. Gibson to find Nachi America in substantial compliance was still on the floor. Vote: Ayes. Motion carried.

Concerning C/K Partners LLC, Mr. Bates moved to find that they are in substantial compliance, as the estimate of employees and salaries has been exceeded. Second by Mr. Hardin. Vote: Ayes. Motion carried.

For Gerdt Enterprises, LLC, as the estimated assessed valuation of the real estate and improvements has been exceeded, Mr. Bates moved to find them in substantial compliance. Second by Mr. Bless. Vote: Ayes. Motion carried.

At this time, Mr. Bates moved to find Indiana American Associates, LLC (Building Three) in substantial compliance. Per counsel's memo, the estimated assessed valuation of the real estate and improvements appear to have been met and the estimated number of employees has been exceeded (Salaries vary). Second by Mr. Hardin. Vote: Ayes. Motion carried.

GREENWOOD COMMON COUNCIL  
APRIL 3, 2006 MINUTES  
PAGE 3

Allen/Christy Associates, LLC, per the City Attorney's memo, has exceeded the number of employees and salaries. The estimated cost of the real estate improvements and the estimated assessed valuation of the improvements have not been realized, noted counsel, and this is likely due to the fact that the assessment is for a partially completed building. Mr. Bates moved to find that they are in substantial compliance. Second by Mr. Gibson. Consultant Pat Sherman confirmed that the building is not complete. Vote: Ayes. Motion carried.

County Line Holdings, LLC was next for consideration. Mr. Bates moved to find them in substantial compliance, noting that County Line Holdings (Building One) has exceeded employment and salary projections for the two-building project. Second by Mr. Hardin. Vote: Ayes. Motion carried.

Mr. Sherman discussed the Wilson Farm, LP project (four buildings). All are speculative buildings, he noted, with Building One pretty much completed but not fully occupied. There are 24 employees, with 30% of the building yet to be occupied. Building Two is under construction. Buildings Three, with construction to begin this spring, and Four, with construction to begin in spring, 2007, have yet to be constructed. Mr. Hardin moved to find Wilson Farm, LP (Buildings One-Four) in substantial compliance. Second by Mr. Bates. Vote: Ayes. Motion carried.

Greenwood Springs Mediplex, LLC has a completion date of August, 2006, noted Mr. Sherman. The estimated number of employees is 40, with combined salaries totaling \$1,063,300. Mr. Hardin moved to find them in substantial compliance. Second by Mr. Bless. Vote: Ayes. Motion carried.

Mr. Sherman reminded the Council that United Natural Foods was formerly Robert Patillo Properties, Inc. The current number of employees does not meet the estimate, and the actual salaries total \$2,321,903, which is also below the estimate. This is likely due to the fact that construction is incomplete and the information provided is for an incomplete building. Mr. Hardin moved to find United Natural Foods in substantial compliance. Second by Mr. Bates. Vote: Ayes. Motion carried.

Indiana American Associates, LLC (Building Four) has just been recently completed stated Mr. Sherman and will be a partial estimate this year. Mr. Bates moved to find them in substantial compliance. Second by Mr. Hardin. Vote: Ayes. Motion carried.

Last was Indiana American Associates, LLC (Building Two). Mr. Sherman noted that this is still under construction. Ms. Koons-Davis commented that Building One has already exceeded all the projections for both buildings put together. Mr. Hardin moved to find Building Two in substantial compliance. Second by Mr. Bates. Vote: Ayes. Motion carried.

Mayor Henderson told the Council that the street lights on Madison Avenue should be working now. He also commended the Street Department for cleaning up after the storm damage and the Police and Fire departments for helping those that needed help.

At this point the Mayor discussed conversations he has had with an individual who is looking to establish condominiums in the downtown area with shops below and living area above. The Mayor is not at liberty yet to divulge his name. Community Block Grants are being sought.

GREENWOOD COMMON COUNCIL  
APRIL 3, 2006 MINUTES  
PAGE 4

Mayor Henderson then asked if the Council had received invitations to the Endress + Hauser ground breaking ceremony. Also, he and Ms. Reed are to attend a lunch given by Cinergy.

As to the special census, the goal is late August to include all the east side property possible and have time to get it certified, said the Mayor.

Mr. Hardin asked about living quarters being prohibited above shops. The Mayor said that is a Fire Code issue, and that will be brought back to the Council. Mr. Deer commented that there is an interest to have cottage-type shops.

With no further business, the meeting adjourned at 7:50 p.m.

---

Charles E. Henderson, Mayor

---

Jeannine Myers, Clerk-Treasurer